

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In The Divisional Of:

Applicant: James A. Thomson

Examiner: B. Brumback

Serial No.: 08/591,246

Art Unit: 1815

Filed: January 18, 1996

Title: PRIMATE EMBRYONIC STEM CELLS

TERMINAL DISCLAIMER (37 CFR 1.321(b))

Assistant Commissioner For Patents
Washington, D.C. 20231

Declarant, Wisconsin Alumni Research Foundation, a Wisconsin corporation, is the assignee of the entire right, title and interest in the above-identified patent application, by an assignment that was recorded on July 29, 1996 at Reel 8063, Frame 120 (a copy of which is attached).

The undersigned has reviewed all the documents in the chain of title of the subject patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified divisional application and any continuation or division thereof, which would extend beyond the expiration date of the full statutory term of United States Serial No. 08/591,246 filed on January 18, 1996 if a patent based on Serial No. 08/591,246 issues.

Petitioner hereby agrees that any patent granted on the divisional application first identified above shall be enforceable only for and during such period that it and all U.S. patents derived from application Serial No. 08/591,246 are commonly owned. This agreement runs with any patent granted on the application first identified above and is binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of the statutory term of any patent granted on the divisional application first identified above that would extend to the expiration date of the full statutory term of a U.S patent

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deriving from application Serial No. 08/591,246, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is found invalid by a court of competent jurisdiction, never issues in the first place, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

The undersigned, whose title is supplied below, is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WISCONSIN ALUMNI RESEARCH FOUNDATION

By: Carl E. Gulbrandsen 6/10/98
Carl E. Gulbrandsen
Title: Director of Patents and Licensing

Please charge the \$110.00 fee for this Terminal Disclaimer and other amounts due in this application to Deposit Account No. 17-0055.

James A. Thomson

Dated: June 26, 1998

By: Carl R. Schwartz
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